

Complaint ACTION

On November 25, 2003, Frank Neri, Lead Plant Manager, Boston P&DC, US Postal Service took action in discriminating against me by assigning me to an EAS 17 training program in the guise of giving me the ability to improve my performance, and either choosing the MDO training program or take a downgrade which I did not request. As part of my assignment, he required me to write a weekly letter to him advising him of my assignment and in addition he required me to have a monthly meeting with him, the date and time which suited him, regardless of my work hours.

HISTORY

On October 29, 2003, the Lead Plant Manager, Frank Neri, of the Boston P&DC, US POSTAL SERVICE called me into his office to discuss the events of October 28, 2003, (electrical fire in the building and ensuing actions). Upon entering I noticed he was in a very angry mood. he did not advise me this was a pre-disciplinary investigation, nor did he advise me that I was entitled to a representative. We had a very brief discussion regarding the operational events of October 28, 2003. He stated he had lost all confidence in my ability to manage tour 3 and was assigning me to a detail in In-Plant Support effective the next morning. At approximately 3:00PM, the acting plant manager, Gary Fahey came to my office on the 2nd floor and presented with with a letter advising me that I was to report to In-Plant Support for a temporary work assignment. The letter was signed by Frank Neri On October 31, 2003 the acting Plant Manager Gary Fahey presented me with a memorandum advising me that I will continue to report my to my detail "... until such time that an investigation is completed relative to a mail matter you were involved in on tour 3 on or about October 27, 2003". During this time I was assigned work that was being done by an EAS-16 & 11. The work was looking at the Parcel Select Operation and scanning problems at the PPA. During this time, I was not managing or supervising any employee or other Manager. On November 7, 2003, acting Plant Manager, Gary Fahey called me into his office and conducted an interview regarding the events of October 28, 2003. he did not advise me that this was a pre-disciplinary interview nor did he advise me of my right to a representative. He asked several questions regarding the operations after the fire and specifically about sending hampers of collection mail to Middlesex Central, Brockton and Northwest Boston P&DC facilities. He also conducted interviews with several of my subordinate managers. He stated that I would receive a copy of his investigation report. To date, I have not received a copy of that report. In addition, in spite of my requests both verbally and writing to Frank Neri, he has steadfastly refused to provide any documentation, notes, or other records that he used in his decision to remove me from my position as Manager of Distribution Operations (EAS-24). He has not identified any operational issues, or other issues that would cause him to remove me from my position and assign me to the MDO development program.

Frank Neri replaced me with Gary Fahey, a manager who is several years my junior in age, and has since posted for a one year detail, and selected a female who has little or no experience in the mail processing, tour 3 General Mail Facility operations'. His actions constituted the creation of a hostile work environment by harassing me and causing me to suffer great embarrassment in front of my peers, junior managers, supervisors and the union represented work force. he has taken discriminatory actions because of my age. It is my most sincere belief that Frank Neri has taken this action to coerce me into retiring..

Richard W. Duggan

5-19-2004